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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/517,086	08/16/2005	Willi Thaler	0115-045816	1132

28289 7590 01/05/2007  
THE WEBB LAW FIRM, P.C.  
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EXAMINER

BLEVINS, JERRY M

ART UNIT	PAPER NUMBER
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2883

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/05/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/517,086	THALER ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Jerry Martin Blevins	2883	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 06 December 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 22-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 22-25, 36 and 37 is/are rejected.
- 7) ☒ Claim(s) 26-35 and 38-42 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>11/17/2005</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 22 is rejected under 35 U.S.C. 102(b) as being anticipated by US 5,129,023 to Anderson et al.

Regarding claim 22, Anderson teaches an optical plug-in connection (Figure 1) comprising an optical plug-in connector (22), a coupling (35) configured to receive the plug-in connector, and locking means (96) for locking the plug-in connector in the coupling when the plug-in connector is inserted into the coupling, wherein the locking means are designed to prevent unintentional unlocking when in the locked state (column 9, lines 3-18).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 23-25, 36, and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson in view of US 2005/0180697 to De Marchi.

Regarding claim 23, Anderson teaches the limitations of the base claim 22.

Anderson does not teach that the locking means are designed to only be unlocked by use of a separate tool when in the locked state. De Marchi teaches an optical plug-in connection comprising locking means designed to only be unlocked by use of a separate tool when in the locked state (paragraph 19). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the connection of Anderson with the unlocking tool of De Marchi. The motivation would have been to increase the protection against unintentional unlocking.

Regarding claims 24 and 25, Anderson in view of De Marchi renders obvious the limitations of the base claim 23. Anderson also teaches a flexibly bendable locking arm having a first locking element situated at a free end of the locking arm, wherein the locking arm is configured to bend when the plug-in connector is inserted into the coupling to lock the plug-in connector therein, wherein the plug-in connector is designed to be unlocked from the coupling by renewed flexible bending of the locking arm, wherein the locking arm is arranged on the plug-in connector (column 6, lines 45-57, column 7, line 57 – column 8, line 4, column 10, lines 6-13, and Figures 2-5).

Regarding claims 36 and 37, Anderson in view of De Marchi renders obvious the limitations of the base claim 25. Anderson does not teach an unlocking lever. De Marchi teaches an unlocking lever (41) sized in length such that when the plug-in connector is inserted in the coupling, the unlocking lever can only be actuated from outside by the tool and wherein the unlocking lever is formed on the locking arm and has a fixed length (paragraph 48 and Figures 4 and 5).

***Allowable Subject Matter***

Claims 26-35 and 38-42 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 26, Anderson in view of De Marchi renders obvious the limitations of the base claim 25. However, Anderson, either alone or in combination with the prior art, fails to disclose or render obvious a second locking element situated on the plug-in connector designed to move back and forth by means of a tool between a first position and a second position.

Claims 27-35 and 39-42 depend from claim 26.

Regarding claim 38, Anderson in view of De Marchi renders obvious the limitations of the base claim 36. However, Anderson, either alone or in combination with the prior art, fails to disclose or render obvious that the unlocking lever includes predetermined breaking points for shortening the length of the unlocking lever.

***Conclusion***

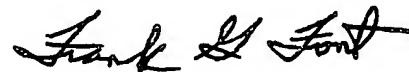
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerry Martin Blevins whose telephone number is 571-272-8581. The examiner can normally be reached on Monday through Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank G. Font can be reached on 571-272-2415. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JMB



Frank G. Font  
Supervisory Patent Examiner  
Technology Center 2800